

The Chair recognizes Delegate Powers.

DELEGATE POWERS: Mr. President, I move the Convention resolve itself into the Committee of the Whole for the purpose of considering general orders of the day.

THE PRESIDENT: Is there a second?

*(The motion was duly seconded.)*

THE PRESIDENT: All those in favor signify by saying Aye; contrary, No. The Ayes have it. It is so ordered.

*(Whereupon, at 2:20 P.M., the Convention resolved itself into the Committee of the Whole.)*

*(The mace was removed by the Sergeant-at-Arms.)*

## COMMITTEE OF THE WHOLE

JANUARY 4, 1968—2:20 P.M.

PRESIDENT H. VERNON ENEY,  
PRESIDING

THE CHAIRMAN: The Committee of the Whole will please come to order.

Delegate Boyer, Delegate Hardwicke. There will be a few minutes before the photographers are set up. I would like to move ahead with the consideration of the article.

We had concluded the presentation and questions with respect to the schedule of transitional provisions. We are now on the schedule of legislation, page 15. Are there any questions as to the preliminary paragraph beginning on line 3 of page 15?

The Chair hears none.

Are there any questions as to section 1?

Are there any questions as to section 2? Section 3? Section 4? Section 5? Section 6? Section 7? Section 8?

*(There was no response to these questions.)*

Section 9?

Delegate Fornos.

DELEGATE FORNOS: Mr. Chairman, I have an amendment to section 9.

THE CHAIRMAN: We are calling for questions at this time. We have not come to the amendments yet.

Delegate Mason.

DELEGATE MASON: Mr. Chairman, with respect to section 8, I understood you to say that the legislature could change this enactment the day after the constitution was enacted, but would that not be in conflict with the provision in the constitution that you cannot reduce salaries in the executive branch or increase them?

THE CHAIRMAN: The legislature could change this provision the day after, but it would not be effective as to the governor then in office. It could be effective only as to a governor not then in office for the future.

Are there any other questions as to section 8? Section 9?

Delegate Maurer.

DELEGATE MAURER: Delegate Hardwicke, does the provision that the governor shall nominate by and with the advice and consent of the Senate mean that on all appointments that are created in statute, in which they would say that appointed by the governor would carry with it the advice and consent of the Senate, or is it to apply on a narrower base, to just those positions which are not otherwise described by law?

DELEGATE HARDWICKE: Delegate Maurer, this is the exact language that appears in Article 2, section 10 of the present Constitution, and it is intended to continue until the legislature has an opportunity to act in this field. It is intended to continue that as a statutory measure.

THE CHAIRMAN: I think Delegate Maurer's question was whether or not this would apply to any officer whose method of appointment is prescribed by law.

Is that your question?

DELEGATE MAURER: One of the questions, yes, sir.

DELEGATE HARDWICKE: That is correct.

THE CHAIRMAN: I am afraid the answer is not correct the way I put the question.

Does it apply to officers if a different method of appointment is prescribed by statute?

DELEGATE HARDWICKE: If a different method is prescribed by statute, that different method would be used.

THE CHAIRMAN: Delegate Maurer.